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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/038,100	01/03/2002	Michael Edwin Kuehn	N1305-022	5350
32905	7590	12/31/2003	EXAMINER	
JONDLE & ASSOCIATES P.C. 9085 EAST MINERAL CIRCLE SUITE 200 CENTENNIAL, CO 80112			FOX, DAVID T	
			ART UNIT	PAPER NUMBER
			1638	

DATE MAILED: 12/31/2003

Please find below and/or attached an Office communication concerning this application or proceeding.



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S.M.

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT	PAPER
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122203

DATE MAILED:

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Commissioner for Patents

The reply filed on 09 October 2003 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): The amendments do not comply with 37 CFR 1.121(c), since they present changes in original claims without indicating that the claims have been amended. For example, original claim 1 recites an "inbred tomato seed designated 294" while the copy of claim 1 submitted with the amendment of 09 October 2003 recites an "inbred cantaloupe seed designated inbred 442". See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David T. Fox whose telephone number is (703) 308-0280. The examiner can normally be reached on Monday through Friday from 10:30AM to 7:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amy Nelson, can be reached on (703) 306-3218. The fax phone number for this Group is (703) 872-9306. The after final fax phone number is (703) 872-9307.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0196.

December 22, 2003

DAVID T. FOX
PRIMARY EXAMINER
GROUP 180/1638

